

Exhibit A,
“Amendments to Chapter 7 (Building) of the Sedona City Code, October 14, 2008

CHAPTER 7: BUILDING

Article

- 7-1. BUILDING CODE**
- 7-2. PLUMBING CODE**
- 7-3. ELECTRICAL CODE**
- 7-4. MECHANICAL CODE**
- 7-5. DANGEROUS BUILDINGS CODE**
- 7-6. RESERVED FOR FUTURE USE**
- 7-7. RESERVED FOR FUTURE USE**
- 7-8. ADOPTION OF TECHNICAL DOCUMENTS**
- 7-9. BUILDING OFFICIAL; PLANNING AND ZONING COMMISSION**
- 7-10. UTILITY POLES AND WIRES**
- 7-11. MAILBOXES**
- 7-12. OUTDOOR LIGHT CONTROL**
- 7-13. RESERVED FOR FUTURE USE**
- 7-14. SWIMMING POOL CODE**
- 7-15. RIGHTS-OF-WAY**
- 7-16. STREET NAMING AND ADDRESSING**
- 7-17. TRAFFIC IMPACT STUDY**

ARTICLE 7-15: RIGHTS-OF-WAY

Section

- 7-15-1 Purpose
- 7-15-2 Scope
- 7-15-3 Adoption of permit application form
- 7-15-4 Definitions
- 7-15-5 Enforcement
- 7-15-6 Appeals
- 7-15-7 Permit requirements; classes of permit
- 7-15-8 Life of the permit
- 7-15-9 Denial of permit
- 7-15-10 Fees
- 7-15-11 Amendment additions to sections of MAG Uniform Standard Specifications for Public Works Construction, and MAG Standard Details for Public Works Construction
- 7-15-12 Additional stipulations
- 7-15-13 Procedures for acceptance of existing private streets for maintenance

§ 7-15-1 PURPOSE.

A. The purpose of this article is to accommodate installation and placement of objects within city rights-of-way while providing for the public health, safety and general welfare and protecting the natural environment. The intent is to provide for public safety; proper drainages, adequate pedestrian and vehicular traffic flow on sidewalks, streets and roads; and assure that such rights-of-way are reasonably free of physical obstructions. This is accomplished by establishing construction standards, based on sound engineering principles, to protect the physical integrity of streets, roads and other rights-of-way as defined in § 7-15-4, and their associated drainage systems.

- B. All work authorized and performed in public rights-of-way shall be in accordance with the provisions of this article but shall not be construed to prevent the enforcement of other laws which prescribe more restrictive limitations, nor shall the provisions of this article be presumed to waive any limitations imposed by other statutes or ordinances.
- C. The Permittee shall replace and restore streets, pedestrian facilities, drainage facilities, wastewater facilities, landscaping and other facilities to standards current at the time of replacement or restoration as required by law.

§ 7-15-2 SCOPE.

This article sets forth rules to regulate and control all construction and maintenance performed within a right-of-way which has been dedicated and declared by the city to be public. Public rights-of-way shall include, but not be limited to, streets, drainage ways, roads, alleys, ways, highways, sidewalks, bridges and public places. It establishes the administrative procedures for issuance of permits and provides for approval of plans and specifications and inspection of such construction. Such rules shall pertain to, but shall not be limited to, persons, organizations, public service utilities and franchise grantees. Such rules shall apply to construction and maintenance upon, over, along, across and under present and future public rights-of-way. Such rules do not

Sedona - Building

preclude the right of the City to require license, leases, or other such agreements containing whatever conditions the City deems appropriate in the case of construction, maintenance or any other activity within the right-of-way which are not deemed typical encroachments, such as, but not limited to tables, sitting areas, statues, parades, performances, and art displays.

§ 7-15-3 ADOPTION OF PERMIT APPLICATION FORM.

The form entitled Application for Permit to Construct or Maintain On City Rights-of-Way is hereby adopted into this article.

Permit # _____

]

**APPLICATION FOR PERMIT TO
CONSTRUCT OR MAINTAIN
ON CITY RIGHTS-OF-WAY**

Application date _____ Received by _____ Issued date _____

To: City of Sedona
102 Roadrunner Drive
Sedona, Arizona 86336

☐ **General Permit**
☐ **Project Permit**
☐ **City Developed Consent Permit**
☐ **After the Fact Permit Request**

The undersigned herewith makes application for a permit to enter in and upon, and to use City Rights-of-Way for the following purpose:

(At location) _____

For and in consideration of the granting of a permit for the purpose set forth in Article 7-15 of the Sedona City Code, the Permittee hereby agrees, covenants and binds said Permittee to the conditions set forth in this article.

SUBMITTAL REQUIREMENTS: (*) Items Required for all Permits, other requirements will be identified upon completion of initial review of application

<input type="checkbox"/> (*) A plan, drawing or sketch showing proposed scope of work	<input type="checkbox"/> Submitted
<input type="checkbox"/> (*) Traffic Control Plan Required	<input type="checkbox"/> Submitted
<input type="checkbox"/> () Pre-Construction and Maintenance Conference Required	<input type="checkbox"/> Completed
<input type="checkbox"/> () Inspection with Permittee Required	<input type="checkbox"/> Completed
<input type="checkbox"/> () Anticipated Construction Time: _____ Days	
<input type="checkbox"/> () Construction Plans (Furnished by Permittee)	<input type="checkbox"/> Submitted
<input type="checkbox"/> () ADOT Permit	<input type="checkbox"/> Submitted
<input type="checkbox"/> () Notification to Public	<input type="checkbox"/> Completed
<input type="checkbox"/> () Wastewater Approval	<input type="checkbox"/> Submitted
<input type="checkbox"/> () Blasting Permit (from Fire Department)	<input type="checkbox"/> Submitted
<input type="checkbox"/> (*) Anticipated Start Date _____	
<input type="checkbox"/> (*) Anticipated Completion Date _____	

Rights-of-Way

5

- | | |
|---|------------------------------------|
| <input checked="" type="checkbox"/> Vicinity Map/Site Plan | <input type="checkbox"/> Submitted |
| <input type="checkbox"/> Right-of-Way Diagram | <input type="checkbox"/> Submitted |
| <input type="checkbox"/> Copy of Contract Agreement | <input type="checkbox"/> Submitted |
| <input type="checkbox"/> Certificate of Insurance | <input type="checkbox"/> Submitted |
| <input type="checkbox"/> Monthly Summary of Utility Rights-of-Way Work | |
| <input checked="" type="checkbox"/> <u>48 hour notice required before work starts and work completed.</u> | |
| Please call (928) 204-7800 or (928) 204-7111 for notification. | |
| <input checked="" type="checkbox"/> Storm Water Pollution Prevention Plan Required | <input type="checkbox"/> Submitted |
| <input type="checkbox"/> Air Pollution Plan Required | <input type="checkbox"/> Submitted |

Name of Owner _____
Name of Applicant _____ Title: _____
Phone _____ Fax: _____
Address of Applicant _____
City _____ State _____ Zip _____
Signature of Applicant _____

Owner is responsible for the special conditions listed below and the standard provisions as listed in the remainder of this article. Any contact or correspondence regarding this permit shall be expressly directed to the Applicant.

Permit # _____

:

THIS APPLICATION IS APPROVED, with the following stipulations:

1. Fee is: _____
2. All Excavation: No Excavation is authorized to proceed prior to contacting Arizona Blue Stake, 1800-STAKE IT (1800 782-5348 or 811). Excavation is authorized to proceed only in accord with Arizona Blue Stake regulations and conditions.
3. The permittee shall replace and restore streets, pedestrian facilities, drainage facilities, wastewater facilities, landscaping, and other city facilities to standards current at the time of replacement or restoration as required by law.
4. If at all possible, lines will be installed by boring under the pavement.
5. If boring is not possible, a T-top trench shall be constructed in accordance with MAG Standard Detail #200. Pavement less than two years old requires a full width by 25' patch, centered on the original trench. Pavement that is between two and five years old requires a full width by 20' patch. Patch thickness shall be 4", or shall match existing pavement (whichever is greater). Small trench repairs (less than one square foot in area) can be hot patched.
6. Lines crossing pavement will be 36" deep. All pavement edges will be saw cut.

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7. Non-shrink backfill shall be placed to the bottom of pavement sub-grade. Sub-grade is not to be less than 6" thick (this includes concrete slurry).
8. Asphalt Cold Patching Material may be used until such time that hot mix is available, however, an asphalt cold patch may not be used as a permanent patch. Temporary road patches must be completed within 48 hours. Permanent (hot mix) road patches must be completed within two weeks. The permittee is responsible for the maintenance of temporary patches until permanent hot patch is installed. All asphalt cuts will be saw cut, tacked and sealed by recommended materials. All asphalt patches will be warranted for one year, after final inspection and city approval.
9. The permittee shall bear all costs of any _____ relocations necessary to accomplish City Public Works Projects.
10. The permittee shall be responsible and liable for any disturbance, injury or damage to all Rights-of-Way.
11. Measures and practices shall be employed at all times to prevent erosion and the entrance of material into the storm drainage system per Chapter 14 of the City Code. This includes dirt, rock, debris, concrete, cement, discharging of waters, chemicals and oils. Provisions shall be made to trap and remove material entering the storm drainage system. The storm drainage system includes gutters, ditches, washes, pipes, rivers, streams, and channels.

Permit No. _____

12. BMP (Best Management Practices) shall be used at all times to prevent tracking and discharge of dirt and other materials related to the construction activity onto public streets or highways within the City of Sedona.
13. Project Permits will be valid for 60 days from date of approval. An extension may be granted upon request by the permittee. The fee is \$50.00 for each 30 day extension beyond 60 days. General Permits are valid for one year from the date of approval. The fee for a General Permit is \$100.00.
14. For all impeding or impacting of traffic, a Traffic Control Plan must be approved before any work begins.
15. Traffic control signs will be used at all times and in no instance will the street or side street be closed completely off. When necessary a certified flagger will be used to control traffic using a stop and slow paddle. Signs and flaggers (per the M.U.T.C.D) are required when a lane is blocked or encroached upon.
16. At least 24 hour Notice will be given to the City for a final inspection. The Permittee will be present on the job site at the time of inspection. Please call (928) 204-7800 or (928) 204-7111 for an inspection. If work is not inspected by City, applicant may be required to remove/modify or allow for City inspection at permittee's expense.
17. Posted "No Parking" restrictions shall be obeyed. Vehicle parking, when allowed, shall maintain a 20' wide clear street width.
18. A separate project permit is required for work not included under a General Permit.
19. Prior to the issuance of a right-of-way permit for work involving cost sharing and/or other mutual understandings between the City of Sedona and the _____, an Agreement for said work shall have been fully executed by both parties.

20. When, in the opinion of the City, a project impacts (i.e., partial closures, detours, etc.) a City collector or arterial street in excess of two (2) hours, the City may require the Applicant to provide public notification prior to the commencement of work. The City may require said notification through the local newspaper, radio and/or public notices delivered to affected property owners, public and private agencies and individuals, as deemed commensurate with the expected impacts. Said notification may be required to be made a minimum of three (3) calendar days, but not more than fourteen (14) calendar days in advance of commencing said work. **In the event of a full closure the City shall provide notification at the applicant's expense. The closure shall not commence until the time authorized by the City.**
21. No storage of materials or equipment in the City Right-of-Way will be allowed, unless specified and approved in the permit.
22. Applicant must adhere to any City, State or Federal rules applying to the work to be done. Any removed or disturbed monuments or current City bench marks shall be restored or referenced. Proper documents shall be filed as required by laws and regulations governing Land Survey in the State of Arizona.

Permit No. _____

Applicant agrees to hold the City of Sedona harmless for the placement and/ or operation of the encroachments approved under this permit. All encroachments approved under this permit are subject to removal at the applicant's expense within 30 days of notification if the encroachment becomes a hazard, are not maintained, or if the right of way is needed for public improvement. City Engineer reserves the right to add conditions as necessary to address issues not anticipated at the time of issuance of Right-of-Way Permit.

Signature of Applicant

Title

Date

Reviewed/Approved by: _____ Date: _____
CITY AGENT

RECORD OF INSPECTIONS:

Inspected by: _____ Date: _____ Time: _____

Inspected by: _____ Date: _____ Time: _____

Inspected by: _____ Date: _____ Time: _____

Inspected by: _____ Date: _____ Time: _____

Date Work Completed: _____

Comments: _____

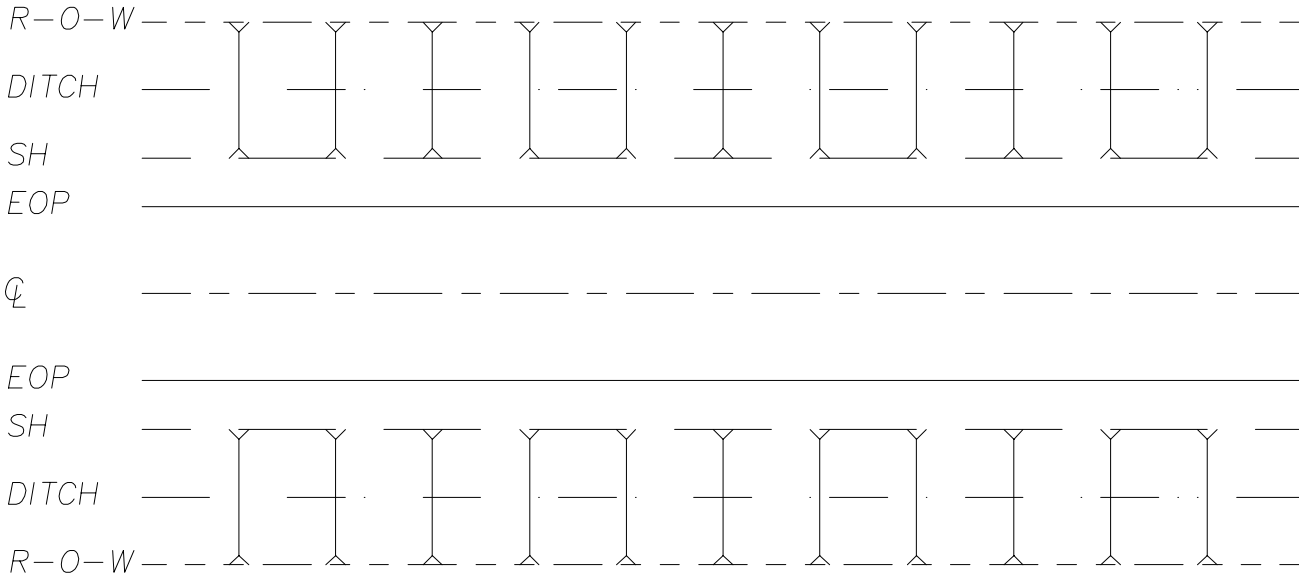
Permit No. _____

SITE PLAN



SAMPLE DIAGRAMS FOR UTILITY R-O-W PERMIT
(PERMIT TO CONSTRUCT OR MAINTAIN ON CITY RIGHTS-OF-WAY)

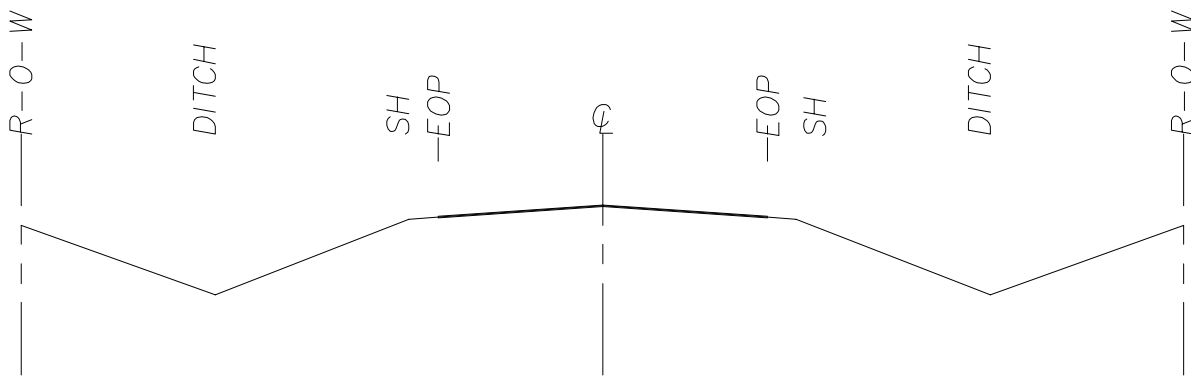
1. PROVIDE A PLAN VIEW DRAWING OF UTILITIES TO BE INSTALLED IN R-O-W. SHOW HORIZONTAL DISTANCE TO CLOSEST ROAD FEATURES. i.e. DITCH CUT OR FILL SLOPE, SHOULDER, EDGE OF PAVEMENT, ETC. PLEASE SHOW ALL ROAD FEATURES PRESENT.



ABBREVIATIONS

R-O-W....RIGHT-OF-WAY SH....ROAD SHOULDER
EOP....EDGE OF PAVEMENT CLCENTERLINE

2. PLEASE ALSO PROVIDE A CROSS-SECTION DRAWING SHOWING THE DETAILS AS DESCRIBED IN ITEM NO. 1 ABOVE.



TYPICAL CROSS SECTION

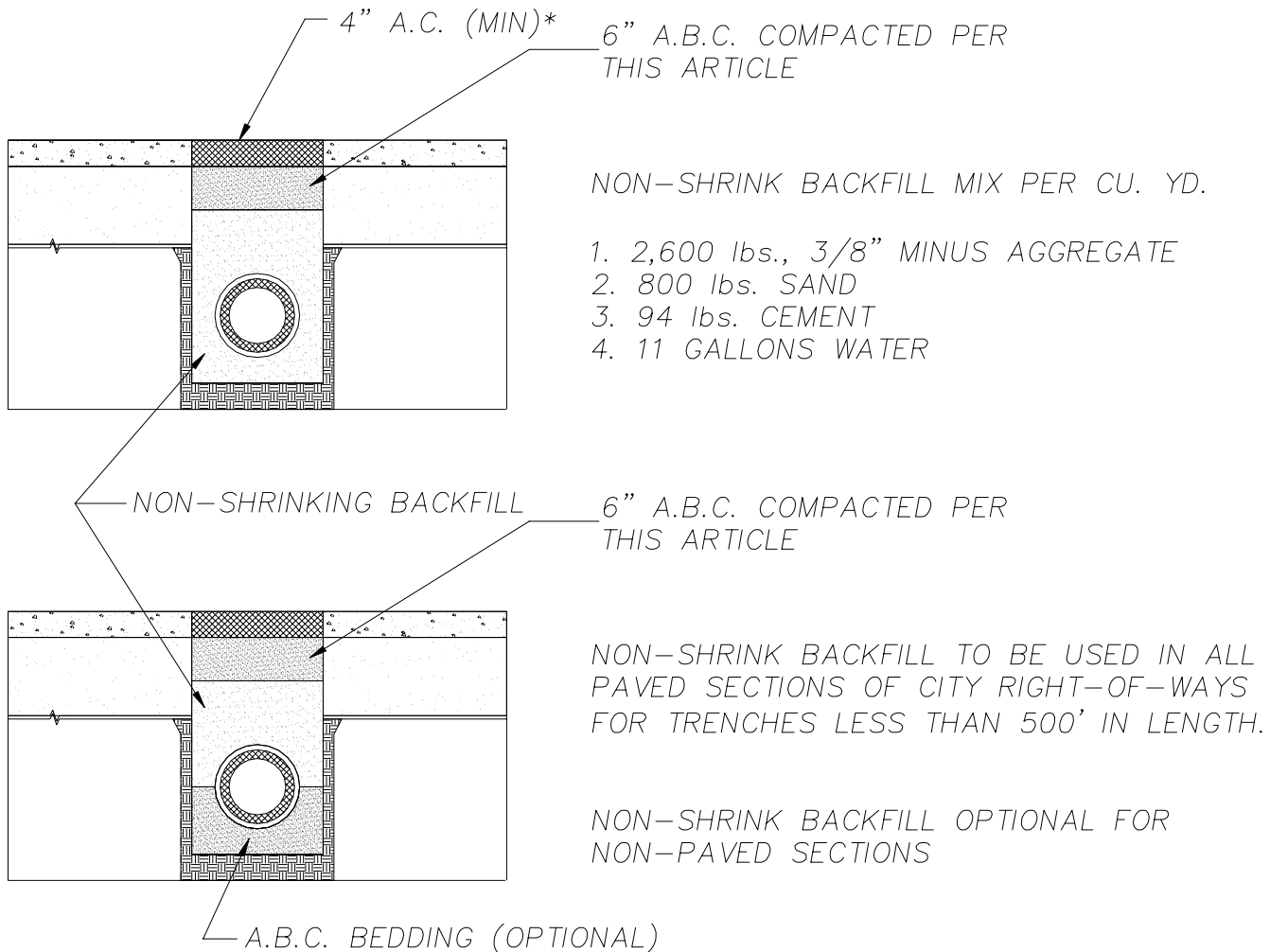


City of Sedona
STANDARD DETAIL
102 ROADRUNNER DR
SEDONA, AZ 86336

RIGHTS-OF-WAY
DIAGRAM

APPROVED:

CITY ENGINEER DATE



*FOR LOCAL STREETS, THE CITY ENGINEER MAY ALLOW 2" OF REPLACEMENT ASPHALT WHERE APPROPRIATE.

NOTE: COLD MIX TEMPORARY PATCHES SHALL BE UTILIZED, BUT ONLY UNTIL SUCH TIME THAT TEMPERATURE CONDITIONS PERMIT, AS SET FORTH IN 7-15-11-H, AND HOT MIX ASPHALT IS AVAILABLE, AS DEFINED BELOW.

NOTE: HOT MIX ASPHALT SHALL BE PLACED AS SOON AS TEMPERATURE CONDITIONS AND AVAILABILITY ALLOW. FOR THE PURPOSE OF THIS SECTION, AVAILABILITY IS DEFINED AS SUITABLE HOT MIX ASPHALT CONCRETE BEING AVAILABLE WITHIN A 40 MILE RADIUS AND THE CUMULATIVE HOT MIX ASPHALT REQUIREMENTS OF ANY PERMITEE EQUALS OR EXCEEDS 5 CUBIC YARDS.

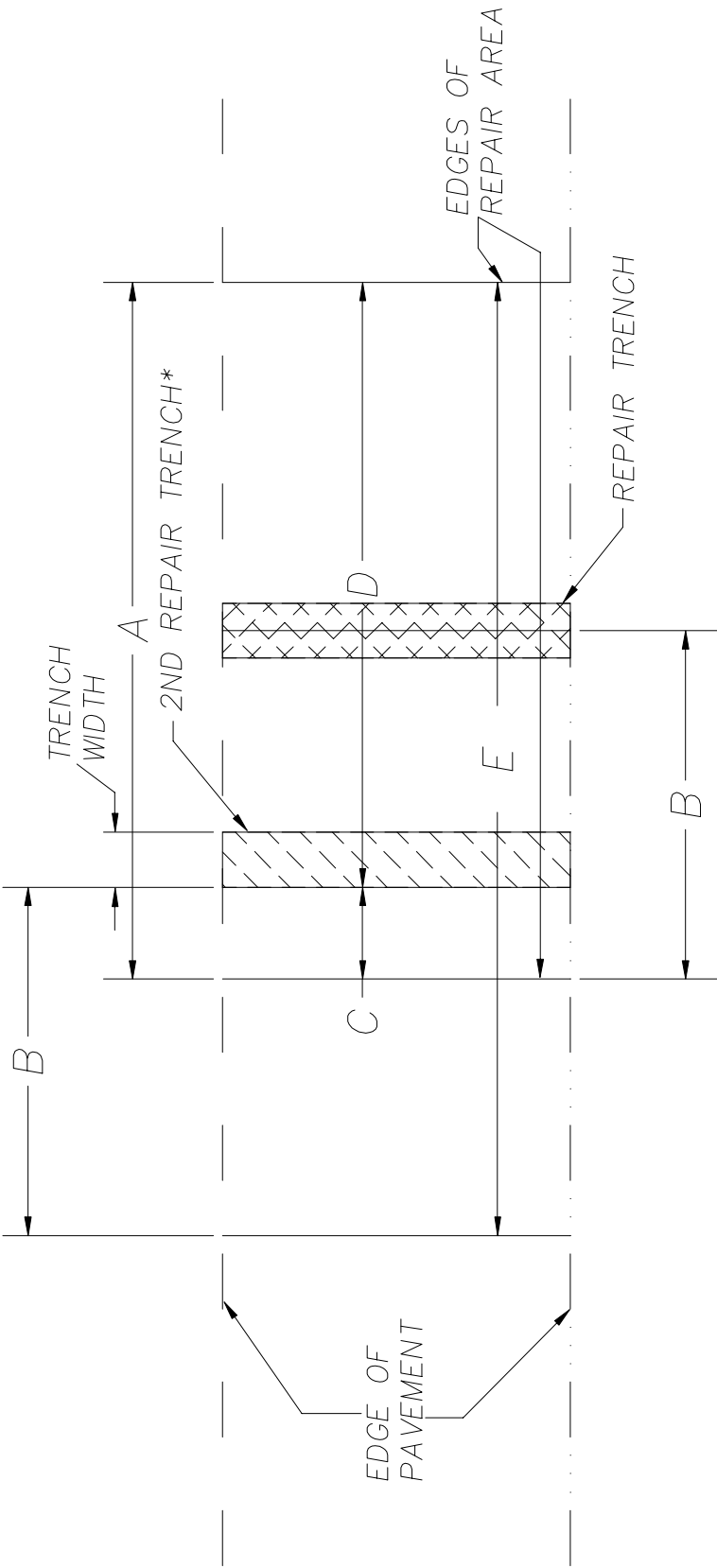


City of Sedona
STANDARD DETAIL
102 ROADRUNNER DR
SEDONA, AZ 86336

NON-SHRINKING
BACKFILL

APPROVED:

CITY ENGINEER _____ DATE _____



PAVEMENT AGE PATCH LENGTH

1-2 YEARS A=25'

3-5 YEARS A=20'

 (B=A/2)

*REFERS TO A REPAIR TRENCH
PLACED WITHIN AN EXISTING
REPAIR AREA

FOR A NEW TRENCH IN A C=EDGE OF TRENCH TO EDGE OF OLD PATCH
PREVIOUS REPAIR AREA: D=EDGE OF TRENCH TO FAR EDGE OF OLD PATCH

IF C > OR = 5',
E=A
IF C < 5',
E=D+B
D=A-C



City of Sedona
STANDARD DETAIL
102 ROADRUNNER DR
SEDONA, AZ 86336

REPAIR WITHIN A
REPAIR UTILITY
PAVEMENT PATCH

APPROVED:

CITY ENGINEER DATE

§ 7-15-4 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CITY DEVELOPED CONSENT PERMIT: The permit to construct or maintain on or in City rights-of-way issued in subject to permit term and terms of an agreement license or lease with the City.

City Engineer. City Engineer or his designee

CONTRACTING AGENCY. The applicant.

CONTRACTOR. The applicant or contractor hired by the applicant.

EMERGENCY WORK. Work done in City right of way as necessary to protect the health, safety and welfare of the public

ENGINEER. Unless otherwise specified, shall mean the applicant's engineer.

ENGINEERING and ENGINEERING PRACTICE. The practice of engineering as defined in A.R.S. § 32-101.

GENERAL PERMIT. The permit to construct or maintain on city rights-of-way issued exclusively to public service utilities and franchise grantees.

MAG. Maricopa Association of Governments and refers to public works standards published by that organization. (2008 Revised Edition)

OPTIMUM MOISTURE. The water content corresponding to the maximum soil density on a moisture- density curve obtained from laboratory compaction test trials.

OWNER. That party holding title to property placed within the city rights-of-way.

PERMIT. The permit to construct or maintain on or in city rights-of-way authorized, issued, canceled or denied by the City Engineer.

PERMITTEE. The grantee of a permit by the City Engineer.

PRE-CONSTRUCTION AND MAINTENANCE CONFERENCE. A meeting pursuant to 7-15-7(C)(5).

PROJECT PERMIT. The permit to construct or maintain on city rights-of-way issued to applicants for specific construction or maintenance projects.

PROJECT PERMIT AMENDMENT. A modification by the City Engineer of the time extension requirement of the permit pursuant to § 7-15-8C., and any modification allowed by Article 7-15.

PUBLIC RIGHTS-OF-WAY. Shall mean, but not be limited to, streets, roads, drainage, alleys, ways, highways, sidewalks drainages, bridges, utility easements, structures, grounds and places which have been dedicated to and declared by the city to be public.

RIGHTS-OF-WAY. Shall mean, but not be limited to, streets, roads, alleys, ways, highways, sidewalks, bridges, utility easements, structures, grounds and places.

SOLID ROCK. Material which results in refusal during excavation by equipment of 55 horsepower or greater.

STREET PAD. Any rubber or metal device of sufficient strength, thickness and area to protect paved surfaces from damage or deformation.

TRAFFIC CONTROL PLAN. A plan pursuant to § 7-15-7C.7. the details of which shall be specified by the City Engineer.

UTILITIES. Any person or business providing service to the public through the use of lines, pipes or other distribution systems.

WORK. Any activity that disrupts vehicular or pedestrian traffic, restricts access or modifies any infrastructure within the City right-of way.

§ 7-15-5 ENFORCEMENT.

The official charged with the enforcement of this article shall be the City Engineer, pursuant to § 3-2-4 of the City Code.

§ 7-15-6 APPEALS.

Appeals from the decision of the City Engineer in the interpretation of this article may be taken by filing an appeal with the City Clerk within 10 days of the decision. A copy of the appeal shall be provided to the City Engineer. The City Council shall agendaize the appeal for the next regular or special meeting, hear arguments and decide the matter. The decision shall be final.

§ 7-15-7 PERMIT REQUIREMENTS; CLASSES OF PERMITS.

A. *Compliance.* No person, organization, public service utility or franchise grantee shall be issued a permit for construction and maintenance upon, over, along, across and under present and future public rights-of-way without first having complied with § 7-15-7B. C or D., as applicable.

B. *Classes of permit.* There shall be 4 classes of permit.

- General permit
- Project Permit
- City Developed Consent Permit
- Citywide permit

1. *General permit.* Public service utilities having franchise agreements with the City grantees may be issued a general permit by the City Engineer. This permit authorizes the permittee to perform each of the following types of work on a repetitive basis:

a. Above ground:

i. Any appurtenance located not less than 10 feet from the edge of the traveled way (NOTE: gas meters must meet the additional requirement of being located within 1 foot of the right-of-way property line);

- ii. Appurtenances other than gas facilities located less than 10 feet from the edge of the traveled way not protruding more than 2 inches above the surface;
 - iii. Emergency work as necessary to protect the health, safety and welfare of the public;
 - iv. Blue Stake locations - work done in providing Blue Stake locations of utility lines or appurtenances.
- b. Below ground:
- i. All service lines not located under pavement and not less than 24 inches below the surface at any point along the run of the lines; (Lines located in solid rock, as defined in § 7-15-4, may be not less than 24 inches below the surface, if covered with a concrete cap of not less than 3 inches thick.)
 - ii. Emergency work as necessary to protect the health, safety and welfare of the public;
 - iii. Blue Stake locations - work done in providing Blue Stake locations of utility lines or appurtenances.
 - iv. All service lines located under asphalt pavement over six years old and which is 36" or more below the pavement grade.

2. *General permit performance criteria.*

- a. All construction shall comply with standards established in this article and with the standards of the *Uniform Building Code* in § 7-1-1, as amended in § 7-1-2; the *Uniform Plumbing Code* in § 7-2-1, as amended in § 7-2-2; and the *National Electric Code* in Article 7-3A, as amended in Article 7-3b and Best Management Practices as related to prevention of water and air pollution.
- b. Each installation shall be reported by the permittee on the Monthly Summary of Utility Rights-of-Way Work form, as provided by the City Engineer.
- c. The City Engineer may request compaction testing to verify compliance with this article.
- d. Timeliness:
 - i. All construction and maintenance shall be accomplished at such time and in such manner as to be least inconvenient to the traveling public;
 - ii. All work , with the exception for concrete and stucco work as allowed below, shall be performed between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, 7:00 a.m. – 4:00 p.m. and 9:00 a.m. - 4:00 p.m. on Saturdays. . No work shall be performed on New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. This shall not apply to emergency work. Work in progress may be allowed to continue until the time specified by the City Engineer and:

(A) If it is expedient to do so; and

(B) Work on that particular project was initiated before noon;

iii. The delivery, placement and finishing of concrete and stucco may begin ½ -hour before sunrise during the period from May 1 through September 30 of each year. This does not apply to asphalt concrete.

iv. In no case shall work start after noon if it is anticipated that it will continue past the end times as stated in (7-15-7B.2.d.ii),, and if it can be finished by initiating the work earlier in the day;

v. If unusual weather or unforeseen conditions appear, the applicant shall immediately request an extension from the City Engineer;

e. The permittee shall be responsible and liable for replacing and restoring the disturbed rights-of-way; including but not limited to the paving, sidewalk, driveway, Americans with Disabilities Act (ADA) facilities ramps, surfacing, planting and ground cover; in as good condition as it was prior to disturbance. The permittee shall not be responsible for replacing and restoring improvements that have been disturbed in the rights-of-way, if these improvements constitute a hazard in the rights-of-way, and the permittee has applied for and received approval from the City Engineer not to replace or restore such improvements; The term replacement shall include installation of new improvements to standards current at the time of installing the new improvements.

f. Work not specified by the general permit may be authorized under the project permit.

3. *Project permit.* Persons and organizations and public service utilities and franchise grantees which apply for construction and maintenance projects not specified by a general permit or a Citywide permit, may be issued a project permit by the City Engineer.

C. *Conditions for issuance of a project permit.* A project permit may be issued by the City Engineer, provided the applicant signs the permit application agreeing to all of the following terms and conditions pertaining to the permit; plus any additional conditions specified by the City Engineer in the project permit.

1. *Appurtenances.* The exact location of the appurtenance relative to the right-of-way boundary shall be submitted with the application for a project permit.

2. *Lines under pavement.* The top of all service lines located below pavement shall be not less than 36 inches below the pavement surface at any point under the pavement, unless connecting to existing lines that are less than 36 inches below pavement or exempted under a City approved franchise agreement. In such cases, lines shall be no higher than the existing lines. The top of lines located below pavement in solid rock, as defined in § 7-15-4, shall be not less than 24 inches below the pavement surface at any point under the pavement, unless connecting to existing lines that are less than 24 inches below pavement. In such cases, lines shall be no higher than the existing lines. For purposes of this provision pavement refers to the finished surface of a roadway or driveway, whether native ground, gravel, asphalt pavement, concrete or other surface finish.

3. *Liability.*

a. The permittee shall be responsible and liable for any disturbance, injury or damage to all rights-of-way, including, but not limited to surfacing, planting and ground cover and to utility property below, in and above the same rights-of-way.

b. The permittee shall be responsible and liable for replacing and restoring the disturbed rights-of-way; including, but not limited to the paving, sidewalk, driveway, surfacing, planting and ground cover; in as good condition as it was prior to disturbance or to current standards, whichever is greater. The permittee shall specify

the details of all replacement work, including any deviations from the existing condition. The permittee shall not be responsible for replacing or restoring improvements that constitute a significant impediment to the maintenance of the roadway or appurtenances or that constitute a hazard in the right-of-way; and the permittee has applied for and received approval from the City Engineer not to replace or restore such improvements.

c. The permittee shall be responsible and liable for, and shall hold the city harmless from: any injury or damage to any person, animal or vehicle, which may be using the rights-of-way in a lawful manner, caused by or arising out of the exercise of the permit. The permittee shall be responsible and liable for all maintenance work on any property to which he has title and possession after the construction time limit has expired.

d. The permittee shall be responsible and liable for, and shall hold the city harmless from allowing any condition to exist which may be a hazard, nuisance or source of danger to the public.

e. A certificate of insurance shall be submitted with the permit application specified in § 7-15-3, when the total cost of furnishing equipment, labor and materials exceeds \$1500. This certificate shall verify comprehensive general liability coverage of not less than \$1,000,000 per occurrence and \$2,000,000 aggregate and shall name the city as additional named insured. Utility companies may choose to submit a Certificate of Insurance upon application for a general permit. This coverage shall be in force for a period of 2 years from the date of issuance of the general permit.

f. Applications for work that is to be performed by licensed contractors shall include verification of licensing as required by the State Registrar of Contractors. The City Engineer may require additional insurance, performance bonds or other bonding for large projects.

4. *Cost.* Unless otherwise agreed, the city shall not bear any cost or expense for construction and maintenance.

5. *Pre-construction and maintenance conference.* The City Engineer may require the applicant to attend a pre-construction and maintenance conference.

6. *Timeliness.*

a. All construction and maintenance shall be accomplished at such time and in such manner as to be least inconvenient to the traveling public.

b. All work, with the exception for concrete and stucco work as allowed below, shall be performed between the hours of 7:00 a.m. and 6:00 p.m. Monday through Friday, 7:00 am. – 4:00 pm., Saturday and City Holidays 9:00 am – 4:00 pm. No work shall be performed on New Years Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. Work in progress may be allowed to continue until the time specified by the City Engineer, provided:

i. It is expedient to do so, and

ii. Work on that particular project was initiated before noon.

c. In no case shall work start after noon if it is anticipated that it will continue past the end times stated above (6.b, Timelines)., and if it can be finished by initiating the work earlier in the day.

d. If unusual weather or other unforeseen conditions appear, the applicant shall immediately request an extension from the City Engineer. All construction and maintenance shall be completed by the time specified in the

permit.

e. The delivery, placement and finishing of concrete and stucco may begin ½ -hour before sunrise during the period from May 1 through September 30 of each year. This does not apply to asphalt concrete.

f. The provisions of § 7-15-7C.6. shall not apply to emergency work.

7. Water, Air, Solid Waste Pollution

a. Work shall include measures to reduce water, air, and solid waste pollution.

Best Management Practices appropriate to the work as contained in current guidance documents prepared by the City, State, or Federal Practices. Environmental Protection Agency shall be utilized. The Practices used shall be subject to City Engineer Approval. The City Engineer may require a project specific pollution control plan.

8. *Traffic and traffic control.*

a. When determined by the City Engineer, traffic adjacent to and within the construction area shall be controlled in accordance with the “Manual on Uniform Traffic Control Devices” (MUTCD), and the Arizona Department of Transportation (ADOT) “Traffic Control Manual for Highway Construction and Maintenance”; one copy of each of which are on file and are open for public inspection in the office of the City Engineer. The City Engineer may require signs, flaggers, pilot cars and other devices and methods. He may require that a project specific traffic control plan be submitted with the application before the permit is issued.

b. The permittee shall give notification to the City Engineer no less than 2 working days before work is to begin or before work is to re-commence after stoppage.

c. The permittee shall not partially or fully block rights-of-way to pedestrian or vehicular traffic under any circumstances without a valid permit. Whenever possible, 1-way traffic shall be maintained. In no case shall blockage of emergency vehicle access be permitted. Notification shall be given to the Chief of Police and the Sedona Fire Department, pursuant to § 11-2-1 and Article 11-3.

9. *Notification to the City Engineer.*

a. The City Engineer shall be notified after any trench or excavation has been backfilled, but before placement of any pavement courses; and

b. After placement of final pavement course; and

c. After completion of all work.

10. *Routine and final inspections.*

a. The City Engineer may routinely inspect work authorized by the permit at any time.

b. The City Engineer shall perform a final inspection of all work authorized by the permit.

c. Following final inspection of all work authorized by the permit, the City Engineer shall determine if the completed work conforms with the permitted work.

d. In addition, the City Engineer may request compaction testing to verify compliance with this article.

11. *Actions resulting from non-compliance.*

- a. The City Engineer shall notify the permittee in writing that work not in compliance has been declared deficient, and he shall direct the permittee to correct such deficiencies within 15 days.
- b. If the permittee does not correct such deficiencies within 15 days, the City Engineer shall immediately proceed to correct the deficiencies and collect all costs from the permittee.
- c. Additional penalties may apply, pursuant to Article 1-8.

12. *Cancellation of permit.* The City Engineer may immediately cancel and thereby revoke the rights provided by either a general permit or a project permit if he determines that, during the life of the permit, the permittee is conducting the work permitted in a manner so as to endanger the public.

13. *Removal and abandonment of facilities within the right-of-way.*

- a. The City Engineer may, upon written notice, require the permittee to remove or abandon in place as specified by the City Engineer, all property to which the permittee has title or which has been rented or leased by the permittee, if the right-of-way is needed by the city. The city shall bear the cost of relocation for only those improvements installed under a city rights-of-way permit, or for those improvements installed in accordance with the depth specifications contained in this article.
- b. Whenever a permit is canceled by the City Engineer, the permittee shall be responsible and liable for replacing and restoring the disturbed rights-of-way; including but not limited to the paving, sidewalk, driveway surfacing, planting and ground cover; in as good condition as it was prior to disturbance, pursuant to § 7-15-7C.3.b.

D. Conditions of issuance of a Citywide permit. The City Engineer may from time to time issue, amend, revise, or revoke citywide permits for work within the right-of-way. A Citywide permit allows anyone to proceed with work within right-of-way that is adjacent or within their property or place of residence provided that the terms of the Citywide permit are adhered to. The City Engineer shall require that anyone acting under terms of a citywide permit hold the city harmless. The issuance of a Citywide permit shall not prohibit anyone from applying for a project permit. The City Engineer shall state in the permit if the City is to be notified of work to be conducted pursuant to the terms of a Citywide permit.

§ 7-15-8 LIFE OF THE PERMIT.

A. *General permit.* The City Engineer shall determine the life of the general permit, but it shall not exceed 1 year, as stated in the permit. The City Engineer may revoke this permit at any time based on unsatisfactory performance.

B. *Project permit.* Each project permit shall be in full force and effect for 60 days from the date of issue, unless otherwise stated in the permit.

C. *Citywide permit.* The citywide permit shall be in full force and effect until revised or revoked by the City Engineer. The allowable duration of a project shall be as stated in the permit.

D. *Time limits.* The City Engineer may determine that a specific project may require more than 60 days for completion and may permit such time as deemed necessary for completion. He may determine the necessity for a time extension during the life of the project permit and thereby amend the permit. . Time beyond 180 days

shall be subject to additional fees for each 60days or part there off.

E. *Time for excavation, backfilling and compaction of trenches across rights-of-way.*

1. Time for excavation, backfilling and compaction across rights-of-way shall not exceed 2 consecutive days, including holidays and weekend days. If unusual weather or other unforeseen conditions appear, the applicant shall immediately request an extension from the City Engineer.

2. The City Engineer may determine that excavation, backfilling and compaction across rights-of-way may require more than 2 days for completion and may permit such additional time as deemed necessary for completion and thereby amend the permit. When it is anticipated that work may exceed 2 consecutive days, the applicant shall specify the anticipated number of days requested to complete the work.

§ 7-15-9 DENIAL OF PERMIT.

The City Engineer shall deny a project permit if he determines the proposed work will adversely affect the integrity of public rights-of-way or impair public safety. The City Engineer shall not approve non –typical encroachments without the concurrent approval of the City Manager Applicants may appeal any such decisions pursuant to § 7-15-6.

§ 7-15-10 FEES.

A. *Permit fees.* At the issuance of a permit, the City Engineer shall collect the permit fees set forth in the Table of Permit Fees 7-15-10A. Such fees shall be paid in lawful money of the United States or by collectable draft, check, credit card or debit card. Should such fee payment instrument be uncollectible within 15 days, the permit shall be null and void. The fee for permits applied for after the fact shall be 3 times the project permit fee in table 7-15-10.

TABLE 7-15-10 A PERMIT FEES

General Permit	\$100 per permit valid for one year
Project Permit	\$60 per permit 60 days \$50 for each time extension beyond 30 days
City Developed Consent Permit	As determined by agreement, license or lease
City wide permit	No fee

Project permit fees shall be waived for utilities holding a general permit.

B. *Inspection fees.*

1. Inspection fees shall be waived for utilities holding a general permit.

2. Inspection fees for 1 inspection are included in the permit fees, except as noted below.

3. If the City Engineer determines that more than 1 inspection is necessary for each project permit issued, the permittee shall be notified and the fee set forth in the Table 7-15-10 B, Inspection Fees, shall be collected before the inspection is conducted. Such fees shall be paid in lawful money of the United States or by collectable draft or check. Should such draft or check be uncollectible within 15 days, the permit shall be null and void.

TABLE 7-15-10 B INSPECTION FEES

Inspections under project permit	\$60 per inspection per 1 hour
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One hour shall include transit time to the inspection site and return. Additional time during the same inspection visit shall be invoiced at the non-prorated fee of \$50 per 1 hour.

C. *Special fees.* At the issuance of a permit, the City Engineer shall collect the special fees set forth in the Table of Special Fees, 7-15-10 C. Such fees shall be paid in lawful money of the United States or by collectable draft or check. Should such draft or check be uncollectible within 15 days, the permit shall be null and void. Special fees shall be waived for utilities holding a general permit.

TABLE 7-15-10 C SPECIAL FEES

Traffic control plan review, pursuant to § 7-15-7C..8a	\$300 min (1 day review)
Pre-construction and maintenance conference, pursuant to § 7-15-7C.5.	\$300 min (1 conference)
Project permit amendment, pursuant to § 7-15-8.C.	\$60 per amendment
Project specific Pollution Control Plan	\$300 (waived if part of a grading plan submitted under provision of the City Code or Land Development Code)

§ 7-15-11 AMENDMENT ADDITIONS TO SECTIONS OF MAG UNIFORM STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, AND MAG STANDARD DETAILS FOR PUBLIC WORKS CONSTRUCTION.

For the purposes of this article, Article 7-8 is hereby amended with the following additions. Except where noted below, “Engineer” shall mean the applicant’s engineer, “contractor” shall mean the applicant or contractor hired by the applicant, and “contracting agency” shall mean the applicant. The sections specified below in MAG Uniform Standard Specifications for Public Works Construction, and MAG Standard Details for Public Works Construction are amended with additions as follows; section references, except as noted, are to those Standards:

A. *Construction stakes, lines and grades.* The permittee shall be responsible to insure that all construction stakes, lines and grades shall be in accordance with § 105.8.

B. *Samples and testing of materials.* The permittee shall be responsible to insure that, when so required by the permit, he shall employ an independent testing laboratory to test all physical materials, at his cost, pursuant to § 106.2.

Testing shall be in accord with standard methods approved by AASHTO, ASTM, or other method approved by the City Engineer.

C. *Use of explosives.* The permittee shall be responsible to insure that a permit for blasting is obtained from the Sedona Fire Department. A copy of this permit shall be provided to the City Engineer by the permittee. The use of explosives shall be in accordance with MAG § 107.8.

D. *Preservation of property.* The permittee shall be responsible to insure that existing landscaping shall be preserved and special care given to protect trees and large shrubbery, in accordance with § 7-15-7C.3.b. of this article and Ordinance 89-11, "Preservation of Trees," as amended. The permittee shall also be responsible to insure that property protection shall be in accordance with MAG § 201.2.

E. *Backfilling and compacting.* Non-shrink backfill material may be used in any city right-of-way. Use of other backfill materials shall be subject to City Engineer review and approval. Verification of in-place density shall not be required for non-shrink material. Verification of in-place density shall be required for all native material and ABC backfills located under paved surfaces.

1. *Specifications for non-shrink backfill and compaction.* Specifications for non-shrink backfill and compaction which follow shall be mandatory for all paved rights-of-way and for trenches using non-shrink backfill. These specifications may be used for non-paved rights-of-way as an alternative. City of Sedona Standard "Non-Shrinking Backfill" shall be part of this specification. When utilized, the following shall apply:

a. All pipes and lines shall be not less than 36 inches below the pavement surface, unless due to gravity flow they must be at a lesser depth to connect to existing lines that are less than 36 inches below pavement. In such cases, lines shall be no higher than the existing lines. Lines located in solid rock, as defined in § 7-15-4, shall be not less than 24 inches below the pavement surface, unless due to gravity flow they must be at a lesser depth to connect to existing lines that are less than 24 inches below pavement. In such cases, lines shall be no higher than the existing lines;

b. Compacted select granular material, or crushed aggregate base of 3/4" maximum size, shall be used for bedding and shading. The City Engineer may authorize the use of utility company bedding specifications, if those specifications are superior to the ones listed herein for bedding purposes;

c. Bedding material shall be placed in horizontal lifts, with thicknesses consistent with the capability of the compaction equipment utilized, but no lift shall be greater than 8 inches;

d. Non-shrink backfill shall be placed to the bottom of pavement subgrade. For non-paved sections, backfill shall be placed to within 6 inches of finished grade;

e. For non-paved sections, 6 inches of ABC shall be placed over the non-shrink backfill and shall meet the compaction methods and relative density requirements of § 7-15-11F. Native material may be used in place of ABC between the top back of the ditch and the right-of-way boundary;

f. Pavement subgrade thickness shall match existing subgrade thickness but shall not be less than 6 inches thick;

g. For trenches not parallel to the roadway centerline, T-top trenches shall be constructed in accordance with MAG Standard Detail #200, subject to new pavement patching requirements. The edge of the existing pavement shall be beveled 45° toward the trench for a T-Top pavement.

h. Asphalt concrete shall match existing pavement thickness but shall be not less than 4 inches thick. For local streets, the City Engineer may allow 3 inches of replacement asphalt where appropriate.

2. *Specifications for earth backfill and compaction.* Specifications for earth backfill and compaction which follow may be utilized for all non-paved rights-of-way and for trenches using earth backfill. City of Sedona Standard Detail "Trench Detail" shall be part of this specification. When utilized, the following shall apply:

- a. All pipes and lines shall be located pursuant to § 7-15-11E.1.a. of this article;
- b. Compacted granular material, or crushed aggregate base of 3/4" maximum size, may be used for bedding and shall provide not less than 6 inches of cover between the top of the pipe and the compacted native material backfill. The City Engineer may authorize the use of utility company bedding specifications, if those specifications are superior to the ones listed herein for bedding purposes;
- c. Material shall be placed in horizontal lifts, with thicknesses consistent with the capability of the compaction equipment utilized, but no lift shall be greater than 8 inches;
- d. Compaction methods and relative density shall be in accordance with § 7-15-11F. In addition, the following specifications shall apply:
 - i. Backfill materials shall be brought to a uniform moisture content within 3% of optimum moisture;
 - ii. Materials shall be compacted to not less than 95% of the maximum density, as determined by *Uniform Building Code* Standard #70-1, 70-2, 70-3, 70-4, 70-5, utilizing the Rock Correction Factor as set forth in MAG Standard Detail #190;
- e. Compacted native material of 4--inch maximum dimension may be used as backfill, provided either:
 - i. The depth shall be not less than 6 inches below finished grade for non-paved surfaces; or
 - ii. The depth shall be not less than 12 inches below the bottom of pavement subgrade for paved surfaces;
- f. Compacted native material of 3 inch maximum dimension may be used as backfill, provided the depth shall be not less than 12 inches below the bottom of pavement subgrade for paved surfaces;
- g. For non-paved sections, 6 inches of ABC shall be placed over the earth backfill and shall be compacted in accordance with MAG §§ 211.3 and 601. Native material may be used in place of ABC between the top back of the ditch and the right-of-way boundary;
- h. Pavement subgrade thickness shall match existing subgrade thickness but shall be not less than 6 inches thick;
- i. For trenches not parallel to the roadway centerline, T-top trenches shall be constructed in accordance with MAG Standard Detail #200;
- j. Asphalt concrete shall match existing pavement thickness but shall be not less than 4 inches thick. For local streets, the City Engineer may allow 2 inches of replacement asphalt where appropriate;

k. Compaction tests shall be required under all paved surfaces.

F. *Relative compaction.* Compaction shall be in accordance with MAG § 301.3, and with the relative density specification of 95% for the following:

1. Major streets;
2. Other streets and traffic ways, including parking lots, access drives and paved bike paths;
3. Curbs, gutters, sidewalks and pedestrian walks;
4. All road shoulders and ditches;
5. Areas outside of the traveled way where vegetative landscaping will be completed immediately following work in the right-of-way shall be compacted to 80% relative density.

G. *Untreated base material.* All untreated base material shall be in accordance with specifications in MAG § 702.2.

H. *Weather and moisture condition limitations for asphaltic concrete.*

1. Asphalt concrete shall be deposited only when the subgrade surface is dry, and when the ambient temperature in the shade is 60 degrees Fahrenheit and is rising.
2. Asphalt concrete shall not be deposited when it is foggy, rainy or when the base on which the concrete is to be deposited is in a wet or frozen state. By “wet” is meant in excess of optimum moisture.

I. *Tack coat.* All tack coats shall be applied in accordance with specifications in MAG § 321.4. When applied to vertical surfaces, tack coats shall be applied only after surfaces have been cleaned and loose particles removed in such manner as to insure full surface coverage.

J. *Base preparation.* All base preparation shall be accomplished in accordance with specifications in MAG § 321.5.1.

1. Leveling operations shall have been completed before the aggregate base course is applied.
2. The base course shall be in reasonably close conformity with lines, grades and dimensions shown on the plans.

K. *Asphalt base and surface course.* Asphalt base and surface courses shall be spread and finished in accordance with specifications in MAG § 321.5.4, with the following exceptions:

1. Use of self-propelled mechanical spreading and finishing equipment is not required unless specified by the City Engineer;
2. A smooth steel wheel roller is required, unless otherwise specified by the City Engineer. The permittee is encouraged to utilize walk-behind or riding self-propelled vibratory roller compaction equipment whenever possible. When complete, the pavement surface shall be smooth, dense and of uniform texture and appearance.

L. *Pavement to be removed.* Pavement removal shall be accomplished in accordance with specifications in MAG § 336.2.2. For the purposes of this article, the third and fifth paragraphs of MAG § 336.2.2 shall be deleted. In lieu of cutting trenches across driveways, curbs and gutters, sidewalks, alley entrances and other types of pavements, the City Engineer may require the contractor to tunnel or bore under such structures and pavements. When matching to new pavement, existing asphalt pavement shall be removed only by saw cutting.

M. *Concrete materials.* Concrete shall be portland cement concrete in accordance with specifications in MAG § 725 with the following stipulations:

1. May have air entraining admixture of 4% to 6% by volume, if required by the City Engineer;
2. Expansion filler joints shall be in accordance with specifications in MAG § 729;
3. Class A concrete shall be used for concrete structures, either reinforced or non-reinforced,
4. Concrete for curbs, gutters, concrete pavements, sidewalks, Americans with Disabilities Act (ADA) facilities ramps, and driveways located in the public right of way shall be 4000 psi minimum, fiber re-enforced. Sidewalks, driveways, ADA facilities ramps shall be 6" thick minimum.
4. Class C concrete may be used for thrust blocks, encasements, fill or over excavation, and the like
6. Exposed concrete shall be Sedona Red unless stated otherwise by City Engineer.
7. When feasible Americans with Disabilities Act (ADA) facilities ramps and related gutter pans, and curbs shall be a monolithic pour.

N. *Curing.* Curing of all concrete shall be in accordance with specifications in MAG § 505.8.

O. *Asphalt concrete.* Asphalt concrete utilized as surfacing shall be in accordance with specifications in MAG § 710 with the following stipulations:

1. Surfacing shall be hot-plant mixed and delivered from the plant to the site at a temperature not greater than 325° F.;
2. Cold mix temporary patches shall be utilized, but only until such time that temperature conditions permit, as set forth in § 7-15-11H., and hot mix asphalt is available, as defined in paragraph 3 below;
3. Hot mix asphalt shall be placed as soon as temperature conditions and availability allow. For the purpose of this section, availability is defined as suitable hot mix asphalt concrete being available within a 40-mile radius and the cumulative hot mix asphalt requirements of any permittee equals or exceeds 5 cubic yards.
4. The gradation requirements of Table 710-2 shall be as shown below:

TABLE 710-2					
GRADATION REQUIREMENTS – PERCENT BY WEIGHT PASSING					
Seive Size (mm)	Designation (mm)				
	9.5	12.5	19	25	37.5
50.0	--	--	--	--	100
37.5	--	--	--	100	90-100

25.0	--	--	100	90-100	< 90
19.0	--	100	90-100	< 90	--
12.5	100	90-100	< 90	--	--
9.5	90-100	< 90	--	--	--
4.75	< 90	--	--	--	--
2.36	32-67	28-58	23-49	19-45	15-41
0.075	5.0-10.0	5.0-10.0	5.0-8.0	1.0-7.0	0-6.0

MAG 710 table 710-11 requirements are modified to require air voids of 3.0% to 5.0% with a target of 4.0% instead of the 2.8% to 6.2% as stated. The City retains the right to require removal when air voids exceed 5.0%.

P. The tolerance for concrete or other installations shall not apply in the case of facilities required to comply with Americans With Disabilities Act requirements. Such installations shall strictly meet the requirements of the Act and associated regulations. The Engineer shall modify the use of details 230 through 250 modification as necessary to comply with Americans With Disabilities Act requirements for the application location or in the alternate prepare a complying design.

Q. *Granular material.* Granular material shall be in accordance with specifications in MAG § 601.4.6.

R. *Frames, covers and valve boxes.* Adjustments for all frames, covers and valve boxes shall be in accordance with specifications in MAG § 345. All such devices shall be adjusted to final finish grades without regard for plan notations which may be contrary. Adjusting rings shall not exceed 18-inches in depth without prior approval of the City Engineer. Rings may be made of concrete. Adjustment of sewer manholes and cleanouts shall be such that the manhole will not be in a depression relative to adjacent street grades.

S. The use of porous asphalt and concrete shall be allowed subject to the approval of the City Engineer regarding both location and mix design.

T. The use of rubberized asphalt as a final course of between 0.15-inch and 2 inches shall be allowed subject to approval of the City Engineer.

U. *Forms and temporary drains.* All form work installed shall be in accordance with specifications in MAG § 505.3. Temporary drains shall be included in all catch basin forms.

V. *Trenches.* For pipes or lines with diameters larger than 2 inches, trench widths shall be in accordance with specifications in City of Sedona Standard Detail "Trench Detail" For pipes or lines with diameters less than 2 inches, trench widths may be excavated to the minimum width necessary to permit a safe installation.

W. *Traffic control measures.* Traffic control measures shall be in accordance with specifications in MAG § 401.4 and § 7-15-7C.7.a. of this article. Devices and measures to adequately control vehicular and pedestrian traffic adjacent to and within the construction area shall be provided and maintained.

V. The requirements of this Code and any adopted City of Sedona Standard Specifications shall have precedence over the provisions of the MAG.

§ 7-15-12 ADDITIONAL STIPULATIONS.

A. *Soil boring priority.* Road cuts on collector streets having an Average Daily Traffic exceeding 750 vehicles (ADT), and on all streets which have been paved within the 5 years previous to the permit date, shall not be authorized by the City Engineer where geological conditions allow for push or boring techniques.

B. *Samples for testing.* When the permit does not require materials testing, as stated in § 7-15-11B., the City

Engineer may request and obtain materials samples in suitable quantities from the permittee for testing to determine compliance with specifications. Such costs shall be charged to the permittee by the city.

C. *Site conditions.* The permittee shall conduct the project to conform with the following stipulations:

1. Rubber-tired equipment shall be operated on paved surfaces except that, when street pads, as defined in § 7-15-4, are employed to protect asphalt surfaces, the following shall apply:
 - a. Crawler equipment with street pads may be utilized with written permission of the City Engineer;
 - b. Backhoes and similar equipment with pods shall utilize street pads as defined in § 7-15-4;
2. Site shall be maintained during the life of the permit in a clean and orderly condition;
3. Trenches across roadways shall be bridged by suitable plate, approved by the City Engineer, whenever work is stopped overnight;
4. All signs temporarily moved shall be reinstalled and all signs damaged during construction shall be replaced. Arrangements may be made with the City Engineer to have these replaced and the costs charged to the permittee by the city;
5. Prior to final inspection by the City Engineer, the permittee shall clear pavement surfaces, dress shoulders, clean surfaces; and remove debris, garbage, unused native and manufactured materials and similar objects which are not an integral part of the rights-of-way; to the satisfaction of the City Engineer.

D. *New Road dedicated to City.* The top 0.1-foot of asphalt pavement of a road dedicated to the City shall have been paved no more than one year prior to the City's unconditional acceptance to the road per Section 704.09 of the Land Development Code. If the top 0.1-foot is older than one year then the surface shall either receive a pavement rejuvenation treatment approved by the City within 4 months the City's unconditional acceptance of the street or the top 0.1-foot shall be removed and replaced. In any event the surface of the pavement shall be thoroughly compacted, smooth, and true to grade and cross section, and free from ruts, humps, depressions, cracks, or irregularities. An acceptable surface shall comply with City requirements for new pavement.

E. *Pipe Culvert Specifications:*

Culverts shall be Corrugated Metal Pipe (CMP), 14 gauge preferred; with a minimum 15" inches diameter. Other Materials, such as HDPE, PVC and concrete may be acceptable but must be approved by the City Engineer.

CULVERT DIAMETER	MINIMUM LENGTH	MAXIMUM LENGTH
15 inches	20 feet	30 feet--Residential
18 inches	20 feet	40 feet--Commercial
24 inches	20 feet	40 feet--Commercial
Greater than 24 inches	Subject to approval of City Engineer, but greater than 20 feet	Subject to approval of City Engineer

1. Minimum 6" cover material is required over pipe
2. Minimum 1 ½ % fall for drainage

5. 3. No headwalls are allowed; culverts must be placed at flow line of ditch (flared ends allowed)
4. Commercial driveways shall be constructed as approved by City Engineer
5. Owner is responsible for pipe culvert maintenance

Any variances from the above specified will need Engineering approval.

Pipes shall be located in ditches such that the pipe does not create a dip relative to grades within 100' of the pipe.

§ 7-15-13 PROCEDURES FOR ACCEPTANCE OF EXISTING PRIVATE STREETS AS PUBLIC ROADS

A. Within the City of Sedona there shall exist only the following categories of streets:

1. Public Streets
2. State Routes, which may be either frontages, highways, or freeways
3. Private streets, which shall include driveways serving more than one parcel for purposes for this Article. Other provisions in this code or the Land Development code pertaining to driveways are not affected by this designation.

B. Maintenance responsibility for the various categories of streets shall be as follows regardless of previous designations:

1. Public City Streets, including landscaping, sidewalks, drainage, and traveled way areas, shall be maintained by the City of Sedona. Maintenance shall mean establishing requirements regarding work within the public right-of-way regardless by whom that work is performed. The City Engineer shall determine the level, method, and frequency of maintenance. The City Engineer shall make available to the Public a list of City maintained streets and maintenance guidelines. The list and guidelines shall, at a minimum, be updated each year prior to May. Streets may be added or deleted from the list according to the determined category of a street. Guidelines shall identify at minimum work expected to be done by city crews and work which adjacent property owners may accomplish.

2. State Routes shall be maintained by the State and/or the City in accordance with State Law and Intergovernmental Agreements between the State and City.

3. Private Streets, shall be maintained by adjacent or served property owners, individually or in association. Maintenance responsibility for private streets shall include the portions extending within the public right-of-way to connect to a public street, however, the City may require a right-of-way permit for work affecting portions within the Public Street right-of-way.

C. In order to be considered, for acquisition as a Public Street a private road shall meet the following criteria:

1. The road shall have been established as a private road prior to December 31, 1987.
2. A minimum 50-foot right-of-way shall be available for dedication to the City of Sedona. If the City Engineer determines that a wider right-of-way is necessary then the City Engineer shall state those reasons in writing

after reviewing the anticipated traffic volumes, physical alignment, existing and potential future uses of the road, utility installations associated with road right of way, and other relevant issues.

3. The road shall serve a minimum of five developed parcels. A parcel shall be considered as developed if it has a residential or commercial building on it that can be occupied, or the parcel can not be further subdivided or split under current zoning regulations.

4. The road segment shall be at least 200 feet in length not including a cul-de-sac bulb.

5. The segment to be dedicated must be connected to a public street.

6. The segment shall be a through street or have a turn around at the end of the segment being considered for acquisition as a Public Street.

D. Nothing in this Article shall be construed to prohibit the City from acquiring a private road or portions thereof by other legal means, nor shall it obligate the City to accept as a Public Street any private street offered to it.

E. A street owner or property owner's, Homeowner's or similiar association shall make an application to the City Engineer on an application form provided by the Engineering Department that includes all of the following items:

1. The application shall be accompanied be evidence that more than 75% of affected property owners are in support of the application or that the applicant is authorized to speak on be half of an the association.

2. A legal description and map of the proposed rights-of-way prepared and stamped by a registered land surveyor licensed by the State of Arizona. The map shall include the street, rights-of-way and all adjacent lots or parcels and shall also include the following:

a. A scale (written and bar graph), north point and date of preparation, including dates of any subsequent revision;

b. Boundary lines and vicinity map;

c. Names, locations and widths of adjacent streets, roads, highways and ways;

d. The width and location of all existing or proposed easements for special purposes which are contained within or adjacent to the proposed rights-of-way to be dedicated, such easements for the purposes of drainage, sewers, utilities, flood control or access;

e. Locations, elevations and size of culverts and storm drains and detention facilities;

f. Location of all existing or proposed roads, structures, walls, fences, irrigation ditches, water wells, pipelines and other physical features within or adjacent to proposed rights-of-way. The map shall indicate which improvements are to remain, be altered or removed. The map shall also indicate the typical type and depth of pavement serving as a roadway.

3. A fee simple title to the entire rights-of-way for the street conveyed by the street owner or property owner's association. The street shall be reasonably centered within the conveyed rights-of-way to allow for a minimum of an 16-foot street plus 2, 5-foot shoulders plus adequate drainage facilities.

4. Documentation acceptable to the City Attorney that the street owners or property owner's association

have legal authority to convey the rights-of-way to the city.

5. Payment to the city of an application fee in the amount of \$500 to cover the cost of application review and recordation with the county.

F. The City Engineer shall review any complete application submitted by the street owners or property owner's association. The City Engineer shall prepare a written inspection report of the street and rights-of-way proposed for dedication and the accompanying map. He shall determine if there exist any design, construction or maintenance deficiencies that would result in an unacceptable assumption of liability or cost on the part of the city. This report may recommend corrective action items to be accomplished by the existing owners as a condition of acceptance. This may include repaving and/or reconstruction of the roadway, removal of all buildings, steps, walls or other structures not functionally part of the traveled way or removal/repair/reconstruction of drainage facilities. The City Engineer shall make a written recommendation to the Council regarding the offer of dedication and acceptance by the city.

G. The Council shall consider the City Manager's and the City Engineer's recommendation and determine to accept or reject the offer of dedication. The Council may attach any additional conditions they deem necessary to their acceptance.

H. If directed by the Council, the City Engineer shall sign the map indicating city acceptance of the dedication. The City Clerk shall record the accepted new street with the necessary documentation with the appropriate county recorder's office.

(Am. Ord. 91-04, passed 2-21-1991)

ARTICLE 7-16: STREET NAMING AND ADDRESSING

Section

- 7-16-1 Purpose
- 7-16-2 Scope
- 7-16-3 Definitions
- 7-16-4 General provisions
- 7-16-5 Appeals
- 7-16-6 Street naming standards
- 7-16-7 Addressing standards
- 7-16-8 Changing a street name

§ 7-16-1 PURPOSE.

The purpose of this article is to provide for the uniform assignment of property numbers, to provide for the naming of new streets and renaming of old streets with conflicting or duplicate names in order to provide for efficient emergency services and provide for the safety of the residents of the city, providing for the enforcement of said article, and prescribing penalties for the violation thereof.
(Ord. 90-21, passed 10-9-1990)

§ 7-16-2 SCOPE.

This article shall apply to all lands within the city.
(Ord. 90-21, passed 10-9-1990)

§ 7-16-3 DEFINITIONS.

For the purpose of this article, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

ADDRESS. Property location identification, including the following elements: number, directional prefix, street name, (unit number, if applicable).

ADDRESSING OFFICIAL. The City Engineer who is charged with the administration of these standards.

CUL-DE-SAC. A street having only 1 outlet for vehicular traffic, with a turnaround at the opposite end which is not intended to be extended or continued to provide future connections or access to other adjacent lands.

DIRECTIONAL PREFIX. A prefix assigned to a street based on its overall direction and its location within a

grid system.

DRIVEWAY. A vehicle access for a single-family residence, a duplex or to an apartment building containing not more than 4 dwelling units.

FRONTAGE. That side of a building which contains the main entrance for pedestrian ingress/egress. If more than 1 main entrance exists, the 1 that more nearly faces or is oriented to the street of highest classification as portrayed on the Official City Street and Subdivision Map shall be considered the building frontage. If all streets are of the same classification, the side of the building with the smallest lineal dimension containing a main entrance shall be considered the building frontage.

HUNDRED BLOCK. An incremental breakdown (1/10) of 1,000 grid.

PREFIX DESIGNATION. A descriptive qualifier preceding a street name, such as north or west.

PRIVATE ACCESS WAY. A common driveway providing immediate access from a public right-of-way or private street to a residence or small group of residences, or divided interests in air rights exempt from management, maintenance and liability responsibilities on the part of the city.

PRIVATE STREET WAY. A street or way owned and maintained by an individual or group of individuals providing the right to control access to 1 or more lots, parcels or divided interests in air rights exempt from management, maintenance and liability responsibilities on the part of the city.

PUBLIC STREET WAY. A right-of-way providing access to 1 or more lots, parcels or divided interests in air rights which has been dedicated to and accepted by the city in conjunction with the city's assumption of management, maintenance and liability responsibilities associated therewith.

STREET. A public thoroughfare or right-of-way or approved private thoroughfare or right-of-way determined by the City Engineer to be adequate for the purpose of access, which affords the principal means of access for abutting property, including avenue, place, way, drive, land, boulevard, highway, road and any other thoroughfare, except as excluded in this code. The word **STREET** shall include all major and secondary highways, traffic collector streets and local streets, but shall not include alleys. For purposes of this article, **STREET** shall include both public and private street ways and private access ways.

STREET NAME. The official or unofficial name of a street, including a name, a suffix designation and a prefix designation, if any.

SUFFIX DESIGNATION. A descriptive qualifier at the end of a street name, such as Ave. or Lane.

THOUSAND GRID. Grid numbers in multiples of 1000 located primarily on section lines.

UNIT NUMBER. A number or letter affixed to a separate unit, such as apartment or suite, within a building or complex that is assigned a single address.
(Ord. 90-21, passed 10-9-1990)

§ 7-16-4 GENERAL PROVISIONS.

A. *Authority.*

1. Only the City Engineer may assign an address or change a street name, pursuant to § 3-2-4H., in conformance with this article. All street name changes shall be subject to approval by the Council.

2. The City Engineer shall be responsible for the administration of the standards in this article and the maintenance of all maps and data related to street naming and addressing.

3. The City Engineer shall provide maps and legal descriptions pertinent to any action or proposed action which may affect street naming and addressing and including, but not limited to, realignments, abandonments and right-of-way planning and acquisition.

4. The City Engineer shall process applications for address assignments.

B. *Enforcement.*

1. The Code Enforcement Officer may cite persons in violation of this article.

2. In the event that the owner or occupant or person in charge of any house or building refuses to comply with the terms of this article by failing to affix the street number assigned by the City Engineer within 60 days, to remove any old numbers affixed to such house, or house entrance, or elsewhere, which may be confused with the number assigned thereto, he shall be subject to civil penalty. Each day the property does not comply with this article represents a separate violation.

3. All violations of this article shall result in a civil penalty being assessed and shall fall under the jurisdiction of the Magistrate Court. All rules for procedure for hearings in front of the Court shall apply to civil violations arising under this article.

4. Penalties:

a. For a first violation of this article, the penalty shall not be more than \$500;

b. For a second or subsequent violation arising out of the same facts, the penalty shall not be more than \$1,000.

(Ord. 90-21, passed 10-9-1990)

§ 7-16-5 APPEALS.

Any owner of property whose address, as defined in § 7-16-3A.1., has been changed by a decision of the City Engineer may appeal. Appeals may be taken by filing an appeal with the City Clerk within 15 days of notification of the owner. A copy of the appeal shall be provided to the City Engineer. The City Council shall agendaize the appeal for the next regular or special meeting, hear arguments and decide the matter. The decision shall be final.

(Ord. 90-21, passed 10-9-1990)

§ 7-16-6 STREET NAMING STANDARDS.

A. *Selection of street names.*

1. Names shall be pleasant sounding, appropriate, easy to read; so that the public, and children in particular, can pronounce the name in an emergency situation; and should add to the pride of property ownership.

2. Street names shall not be duplicated, nor shall the same street have more than 1 name. A street name is a duplicate if either of the following conditions exist:

- a. A street has the same name as another street even if their suffix designations differ;
- b. A street name sounds similar to the name of another street despite a difference in spelling.

3. Unacceptable street names:

- a. Numerical names (1st, 2nd spelled out numbers etc. one, two or similar) or alphabet letters;
- b. Names which may be considered frivolous or in poor taste;
- c. Complicated names, names with unconventional spelling, proper names of existing commercial enterprises or difficult to pronounce names;
- d. Names which include words or syllables which might be confused with prefix or suffix designations (such as Northglen Drive or Circle Drive);
- e. Length of street name (See § 7-16-6A.6.b.).
- f. Names consisting of letters without vowels (NRM Way)
- g. Names of living individuals. Including intersecting streets names which produce a similar effect (i.e. John Smith intersect Smith Lane)

4. Naming and street configuration:

- a. Cul-de-sacs, as defined in § 7-16-3A., shorter than 200 feet and providing access to 5 or fewer lots shall not be named and shall assume the name of the intersecting through street. Where there is a series of long and short cul-de-sacs, all shall have separate names;
- b. A cul-de-sac may bear the same name as its intersecting through street with a different suffix designation and not be considered a name duplication;
- c. Diagonal streets, or streets which change direction, or loop back onto themselves or another street, shall be given 1 directional prefix based on the street's overall orientation in context with surrounding streets. A street may change directional prefix only where it crosses a grid system baseline, or a State Route;
- d. Major arteries and highways which change direction for a significant distance may change directional prefixes at the most logical and convenient break point;
- e. Streets located on the same alignment in the same geographical region shall bear the same name and directional prefix though they are not physically connected.

5. Suffix designations:

- a. Appropriate street name suffixes include, but are not limited to, the following:

- i. For a highway or major arterial street: Highway, Road, Boulevard, Avenue, Parkway;
 - ii. For a local through street: Road, Drive, Lane, Way, Avenue, Street;
 - iii. For a short street or cul-de-sac: Way, Court, Place,
 - iv. For a street connecting to the same street at both ends, Circle.
- b. Standard abbreviations: Avenue: Ave. or Av.; Boulevard: Blvd.; Circle: Cir.; Court: Ct.; Drive: Dr.; Highway: Hwy.; Lane: Ln.; Parkway: Pkwy.; Place: Pl.; Road: Rd.; Street: St.; Terrace: Ter.; Trail: Tr.; Way: Wy.
6. Naming and street name signs:
- a. All street name signs shall conform to the following standards:
 - i. Length of sign not to exceed 42 inches for residential area signs; Non-residential area signs shall not exceed 48 inches.
 - ii. Sign blade shall be ~~extruded~~ flat stock aluminum with a ~~.090"~~ 0.125" web thickness ~~and a .250" flange thickness~~. Residential area signs shall be 6 inches wide. Non-residential area shall be 8 inches wide.
 - iii. Street names shall have engineering grade white retroflective lettering, either heat activated 3M#2290 or equivalent, or pressure activated 3M#3290, or equivalent having a minimum stroke width of 1/2-inch. Residential area signs shall have the lettering 4 inches high; Non-residential areas signs shall have lettering 6 inches high.
 - iv. Standard abbreviations as specified in the list of street names to be provided to the successful bidder are acceptable except for the street name itself. Letter height for street suffixes, prefixes and block numbers for high-way signs shall be 2 inches and reflectorized;
 - v. Type "C" letters shall be used for residential area signs. ~~Capital Type Highway Series B letters shall be used and for non-residential area signs.~~
 - vi. The background color shall be non-reflective fade-proof, U.S. Forest Service brown enamel or resin, color #100219;
 - vii. Post-to sign and sign-to-sign mounting brackets shall be high strength, die-cast aluminum for mounting on 2" by 2" perforated steel breakaway posts;
 - viii. All signs placed on a public road right-of-way shall be approved by the City Engineer;
 - ix. All street name signs shall be installed posts as per the specifications of the City Engineer.
 - b. Length of street names shall be limited to spacing consistent with the allowable sign length, which shall not exceed 17 letters, including the suffix and spacing; examples: acceptable - Prairie Falcon Dr; unacceptable - Camino Del Caballo.

7. Street naming for new subdivisions:

a. After approval of a Preliminary Plat map and before submittal of a Final Plat, pursuant to Ordinance 90-2, the subdivider shall submit a street naming proposal to the City Engineer which includes:

i. A map of the overall tract illustrating street layout and the name proposed for each street; and

ii. An alphabetical list of the proposed street names, together with an alternate name for each name proposed. The City Engineer shall review the street-naming proposal for duplication of names, appropriateness of names and for overall compliance with § 7-16-6. The City Engineer may modify or amend the proposal as he deems necessary to bring it into conformance with that section. The decision of the City Engineer may be appealed pursuant to § 7-16-5C. The approved street names and numbering shall be included in the Final Plat map by the subdivider.

b. Street name signs, approved by the City Engineer, shall be installed by the subdivider at the intersection of all streets and highways and at such other locations as may be determined to be necessary by the City Engineer. Street name signs may be placed on top of stop signs or yield signs, if approved by the City Engineer. (Ord. 90-21, passed 10-9-1990)

8. Location of various street sign types

- a. The City Engineer shall maintain a record of the types of signs to be installed at the various intersections
- b. When the speed limit in a residential area exceeds 25 miles per hour then non-residential area signs shall be used at intersections.

§ 7-16-7 ADDRESSING STANDARDS.

A. Address numbers.

1. Address numbers for each street shall begin from 0 at the beginning point of that street and increase at the rate of 1,000 per lineal mile of that street. Where possible, 1,000 grid numbers shall correspond with section lines. Each 1,000 grid is divided into 10 100 blocks of approximately equal length. Hundred blocks may be expanded and contracted in order to fit street patterns, so that a 100 block may begin at an intersection rather than in the middle of a block.

2. Address numbers shall be assigned with even numbers on the north side of east-west streets and the west side of north-south streets, and with odd numbers on the south side of east-west streets and the east side of north-south streets.

3. An address shall be complete and official only if it contains all of the following elements:

a. Number (value denoting distance from point of origin. Fractions or alphabetical letters shall not be included in an address number);

b. Directional prefix as appropriate (indicating directions of street and its location within the system);

c. Street name (as shown on the Official City Street and Subdivision Map ,as provided in § 7-16-9 and recognized by the City Engineer).

B. *Frontage.*

1. Address numbers shall be assigned to properties at their point of frontage on a named street, except that a building on a corner lot shall be assigned an address on the street the building faces. A building on a parcel, sufficiently large such that the front of the house is not visible from the street, shall be assigned an address for the point at which its private driveway meets a named street.

2. Where 2 or more separate businesses or residences are contained in 1 building or complex, a single address shall be assigned to that building or complex, and unit numbers (such as, Suite 1, Apt. 1) shall be assigned to each door by the property owner. Private clustered housing developments with no more than 2 points of vehicular access, including mobile home or RV Parks, shall also be assigned a single address with unit numbers provided by the property owner.

C. *Display standards.*

1. Address numbers shall be located so as to be legible from the street on which the address is assigned.

2. Numbers shall be legibly marked and contrast with any background material.

3. Where a building is not clearly visible from the street on which it is addressed, its address number shall be posted at the point at which its private driveway meets that street.

4. Where unit numbering is necessary, the property owner of an existing building shall be responsible for posting unit numbers in a logical and appropriate manner within 60 days of adoption of this article. Where unit numbering is necessary, the property owner of a newly constructed building shall be responsible for posting unit numbers in a logical and appropriate manner no later than the issuance of a Certificate of Occupancy.

5. It shall be the duty of the property owner of a building to post the correct address number of that building in accordance with those standards within 60 days of adoption of this article.

6. Any incorrect or improper address number shall be removed and replaced with the correct number by the property owner within 60 days of notification by the City Engineer of the correct address.
(Ord. 90-21, passed 10-9-1990)

§ 7-16-8 CHANGING A STREET NAME.

A. *Procedure for initiation by a group or person.*

1. Any person or group, in accordance with § 7-16-6A., may petition to change an existing street name by filing with the City Clerk a petition signed by 75% of owners of property abutting the street for which the name change is proposed. The City Clerk shall certify the petition.

2. A sketch of the street for which the name change is proposed showing its relationship with intersecting streets, shall be filed with the petition, to clearly show its location and clearly indicate those properties affected, together with a typewritten list of the names and addresses of each current property owner on the street. Such list shall have been based on records of the Assessor's Office in either Coconino or Yavapai County and verified.

3. A \$150 non-refundable administrative fee plus \$75 for each blade of all street name signs that will require replacement shall be deposited with the City Clerk at the time of filing.

4. The City Engineer will determine the appropriateness of the street name change based on the provisions of this article and forward his recommendation to the City Council for adoption as an ordinance. The City Engineer shall cause erection of any street name sign change so approved.

B. Procedure for initiation by the City Engineer or Council.

1. The City Engineer may initiate a change in an existing street name or its spelling and submit a recommendation to the Council for adoption as an ordinance or resolution. There shall be public notice of such recommendation to all owners of property abutting the street for which the name change is proposed.

2. The Council may initiate a change in an existing street name or its spelling and direct the City Engineer to consider such change and submit a recommendation to the Council for adoption as an ordinance or resolution. There shall be public notice of such recommendation to all owners of property abutting the street for which the name change is proposed.

C. Procedure for initiating a hardship change.

1. Any person or group constituting less than 75% of the owners of property abutting a street may request the Council, in writing, to change the name of their street. The request shall be submitted to the City Clerk and shall include:

a. A sketch of the street for which the name change is proposed showing its area of location and relationship with intersecting streets and indicating those properties abutting the street;

b. A typewritten list of the names and addresses of each current property owner on the street. The list shall be verified and based on records of the Assessor's office of the applicable county;

c. An explanation why the applicant cannot meet the 75% requirement of subsection A., paragraph 1. of this section, and reasons why the Council should waive the requirement;

d. Proposed alternative street names in accordance with § 7-16-6A.

2. A person or group submitting a petition for a street name change pursuant to subsection A. of this section, or requesting a street name change pursuant to subsection C., paragraph 1. of this section, may also request that the Council waive 1 or more of the requirements of § 7-16-6, subsection A., in adopting a proposed alternative street name submitted with the petition or request. In that event, the petition or request shall set forth the § 7-16-6, subsection A., requirements for which a waiver is sought and a justification of such waiver, including why it would not be against the public health, safety and welfare of the citizens of the city.

3. For any petition or request submitted pursuant to this part, a \$150 non-refundable administrative fee plus \$75 for each blade of all street name signs that will require replacement shall all be deposited with the City Clerk at the time of filing.

4. The City Engineer shall cause notice of the proposed name change and the public hearing before the City Council concerning the same to be mailed to all owners of property abutting the subject street.

5. The Council shall hold a hearing at which time the public may address the proposed name change. The applicant for the proposed name change shall attend the public hearing and present justification for the proposed name change and waiver of any of the other regulations of this article. The City Engineer shall also review the proposed name change and advise the Council whether it raises any public health, safety or welfare concerns. At the close of the public hearing, the Council shall, in its sole discretion, determine whether to change the name of the street at issue and, if a change is approved, the new name of the street and how it shall be signed. Any approved change that results in a waiver of any of the requirements of this article shall be based on a finding that the street name change does not result in a substantial impairment of public health, safety or welfare.

6. The City Engineer shall cause to be erected the street name signs for any street name change approved by Council.

(Ord. 90-21, passed 10-9-1990)

